

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Rosemary Heredia, Assistant Deputy Clerk.

**F036980 Sylvia v. Stallion Springs Community Services District**

Cause called and argued by James B. Carr, Esq., counsel for respondent. Eric J. Parkinson, Esq., counsel for appellant waived oral argument.

Cause ordered submitted.

Court recessed until Wednesday, June 11, 2003 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Rosemary Heredia, Assistant Deputy Clerk.

**F037748 Tiote Construction & Development Co., LTD v. City of Tehachapi et al.**

Cause called and argued by Francis A. O'Brien, Esq., counsel for appellant and by Bob H. Joyce, Esq., counsel for respondent City of Tehachapi and by Lawrence Brennan, Esq., counsel for respondent Painewebber, Inc. and by Mart B. Oller, Esq., counsel for respondent O'Melveny & Myers and by Robert M. Haight, Sr., Esq., counsel for respondent Haight & Haight.

Cause ordered submitted.

Court recessed until Thursday, June 12, 2003 at 11:00 A.M.

**F041598 People v. Battiste**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F041598      People v. Battiste**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F040337      Mauchley et al. v. Ocwen Federal Bank**  
The judgment is affirmed. Costs on appeal are awarded to respondent. Levy, J.  
We concur: Vartabedian, Acting P.J.; Gomes, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F041999      In re Candelario M., et al. Minors**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F041142      Decker et al. v. Decker**  
The order is affirmed. Costs on appeal are awarded to respondents. Levy, J.  
We concur: Vartabedian, Acting P.J.; Gomes, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F040408      People v. Lobato**  
The judgment is affirmed. Remanded for resentencing. Gomes, J.  
We concur: Vartabedian, Acting P.J.; Levy, J.  
[CERTIFIED FOR PARTIAL PUBLICATION]
- F042620      In re Samuel B., et al. Minors**  
No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.